REMARKS

This Amendment responds to the Final Office Action dated December 27, 2010 in the above-identified application. The foregoing amendments do not raise new issues or require extensive consideration. Accordingly, entry of the Amendment and allowance of the application are respectfully requested.

Claims 1-17 and 21-28 are currently pending in the application. By this Amendment, independent claims 1, 18 and 21 have been amended. The amendments find clear support in the original application at least at page 8, line 23 to page 9, line 4 and page 10, lines 1-12. No new matter has been added.

The Examiner has rejected claims 1-28 under 35 U.S.C. §103(a) as unpatentable over Boys et al. (US 5,875,448) in view of Yokota et al (EP 0597483) and Hanson (US 2002/0062214). The rejection is respectfully traversed for the following reasons.

Boys discloses an audio editor in a handheld device that allows a user to edit the audio in its audio form (Abstract and col. 3, lines 8-36). Boys describes a playback mechanism wherein a user can rewind and fast forward the audio using a thumbwheel that, when activated by the user, indicates how far and how fast to rewind or fast forward. Boys fails to disclose assigning word-marking data to the start of each spoken word in the audio data. Boys states that "a machine has a real problem determining where one word ends and another begins," (col. 2, lines 45-47), thus teaching away from generating word-marking data.

Yokota discloses a disc playback method for fast playback of a disc in cue and review modes (col. 1, lines 7-9). In hybrid playback, which is a combination of fast playback operations in cue and review modes, Yokota describes rewinding a first number of data blocks and then playing forward a second number of data blocks (col. 11, lines 8-24). Yokota describes a table of contents (TOC) which includes start and end addresses of individual programs recorded on the disc (col. 8, lines 31-35). Yokota also fails to disclose assigning word-marking data to the start of each spoken word in the audio data.

Hanson discloses a method for text marking for deferred correction or review of dictated text in a speech recognition system proofreader (paragraph 0003). A user can mark words in the document while playback continues uninterrupted, can request that marked words be highlighted

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in the document, can request that marked words not be highlighted in the document, can step through the marked words sequentially, jumping across intervening text, can request that a mark be automatically removed when the word is corrected, and can remove an individual remark (paragraph 0006).

In the Response to Arguments section of the Office Action, the Examiner asserts that Boys teaches generating word-marking data, the word-marking data indicating locations of word boundaries between spoken words within the audio data and linking words in the audio data to corresponding words in the text data. Applicant must respectfully disagree.

The Examiner, as support for this argument, refers to a passage in Boys which describes a function wherein a user may speak a word or phrase, and the system will rapidly search the document for a data string to match the digital print of the spoken phrase (col. 14, lines 17-22). Applicant fails to understand how matching two sets of audio data to find a spoken phrase can be interpreted as generating word-marking data, which indicates the locations of word boundaries between spoken words within the audio data and linking words in the audio data to corresponding words in the text data. The cited passage describes searching of the audio data but does not describe generating word-marking data as claimed.

The Examiner also refers to a passage in Boys which states that input of machine-operable text code with a cursor in a voice region results in text being displayed in place of equivalent portions of the voice region (col. 4, lines 34-38). The cited passage fails to suggest generating word-marking data, much less word-marking data indicating locations of word boundaries between spoken words within the audio data and linking words in the audio data to corresponding words in the text data, as claimed. Neither of the cited passages in Boys discloses word-marking data that is assigned, in the absence of user input, by the voice recognition means to the start of each spoken word in the audio data, as claimed.

In the Office Action, the Examiner relies upon Yokota for a teaching "initiating a backward jump, counter to the forward sequence, over a distance corresponding to a length of at least N spoken words using the boundaries indicated in the word-marking data, to a target position, and then, starting from the target position, the control means initiating a replay of K spoken words of the audio data in the forward sequence using the word boundaries indicated in

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the word-marking data, where K is less than N...". According to Yokota, the distance of the rewind and playback is based on blocks of data or programs, which correspond to start and end addresses on the disc (col. 11, lines 24-25 and col. 8, lines 31-39). However, Yokota fails to teach *the control means using the word boundaries indicated in the word-marking data to determine the target position* and fails to disclose that *word-marking data is assigned, in the absence of user input, by the voice recognition means to the start of each spoken word in the audio data,* as claimed. Further, Yokota fails to disclose *using the word boundaries indicated in the word-marking data to determine the end of the replay of the K spoken words,* as claimed. Since the Examiner concedes that Yokota does not teach word-marking data, the Examiner cannot then assert that Yokota teaches using word-marking data to determine the target position and the end of replay.

As noted, the Examiner concedes that Boys in view of Yokota does not specifically teach that word-marking data is assigned by the voice recognition means to the start of each spoken word in the audio data. However, the Examiner relies upon Hanson for teaching this limitation. Applicant must respectfully disagree.

Hanson describes a method for marking dictated text for deferred correction or review in a speech recognition system proofreader. According to Hanson "a user can mark words in the document while playback continues uninterrupted..." (paragraph 0006). However, Hanson fails to disclose word-marking data that is assigned, *in the absence of user input, by the voice recognition means to the start of each spoken word in the audio data,* as claimed. Instead, Hanson describes marking of text <u>by the user</u>.

For least these reasons, amended claim 1 is clearly and patentably distinguished over Boys in view of Yokota and Hanson. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 2-7 depend from claim 1 and are allowable over the cited references for at least the same reasons as claim 1.

Amended claim 8 is directed to a method for replaying audio data stored in at least one memory and recites, in part, wherein the word-marking data is assigned, in the absence of user input, by the voice recognition system to the start of each spoken word in the audio data and

performing a reverse playback operation wherein the word boundaries in the word-marking data are used to determine the target position of the backward jump and to determine the end of the replay of the K spoken words. As should be apparent from the above discussion, amended claim 8 is clearly and patentably distinguished over Boys in view of Yokota and Hanson. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 9-17 and 28 depend from claim 8 and are patentable over the cited references for at least the same reasons as claim 8.

Amended claim 21 is directed to a system for replaying stored data and recites, in part, generating word-marking data, wherein the word-marking data is assigned, in the absence of user input, by the voice recognition system to the start of each spoken word in the audio data, and replaying the stored audio data in a reverse mode using word boundaries indicated in the word-marking data to determine the target position and to determine the end of the playback of the K spoken words. As should be apparent from the above discussion, amended claim 21 is clearly and patentably distinguished over Boys in view of Yokota and Hanson. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 22-27 depend from claim 21 and are patentable over the cited references for at least the same reasons as claim 21.

Based upon the above discussion, entry of the Amendment and allowance of the application are respectfully requested.

General Comments on Dependent Claims

Because each of the dependent claims depends from a base claim that is believed to be in condition for allowance, the Assignee believes that it is unnecessary at this time to argue the further distinguishing features of all of the dependent claims. However, the Assignee does not necessarily concur with the interpretation of the dependent claims as set forth in the Office Action, nor does the Assignee concur that the basis for the rejection of any of the dependent claims is proper. Therefore, the Assignee reserves the right to specifically address in the future the further patentability of the dependent claims not specifically addressed herein.
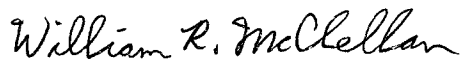
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CONCLUSION

In view of the above amendment, Applicant believes the pending application is in condition for allowance. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. N0484.70057US00 from which the undersigned is authorized to draw.

Dated: February 28, 2011   Respectfully submitted,

William R. McClellan
Registration No.: 29,409
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
617.646.8000